

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In re:)	Case No. 13-11106TPA
Alex Fink)	
Diane Fink)	Chapter 13
Debtor)	
)	Doc # <u>80</u>
Ronda J. Winnecour, Chapter 13 Trustee)	
Movant(s))	
)	
Vs.)	
Alex Fink)	
Diane Fink)	
Respondent)	

ORDER

AND NOW, this 14th day of November, 2018,
the Court having considered the Chapter 13 Trustee's certification (or request) for
dismissal, and any responses thereto, the following relief (as reflected by the checked
boxes below) is **ORDERED, ADJUDGED and DECREED**:

- ☐ This case is **DISMISSED**, with prejudice. The Debtor(s) is/are ineligible for
bankruptcy relief under any chapter for a period of 180 days from the date of this
Order.
- ☐ This case is **DISMISSED**, without prejudice.

If either of the above provisions is checked, indicating that this case is being
dismissed, then it is **FURTHER ORDERED** as follows:

- A. Each wage attachment issued in this case is now terminated. So that each
employer knows to stop the wage attachment, the Debtor(s) shall
immediately serve a copy of this Order on each employer and file a proof
of service within 10 days of the date of this Order.
- B. This case is administratively closed. However, the Court retains
jurisdiction over the Trustee's Report of Receipts and Disbursements and
Final Report and Account. Upon submission of UST Form 13-FR-S:
Chapter 13 Standing Trustee's Final Report and Account, the Trustee is
discharged from her duties in this case and this case will be closed without
further Order of Court.
- C. The Clerk shall give notice to all creditors of this dismissal.
- D. Any motion to reopen must be accompanied by the appropriate reopening
fee, equal to the filing fee for the appropriate chapter (less administrative fee),
together with the unpaid \$ portion of the original filing fee.

E. The Debtor remains legally liable for all debts as if the bankruptcy petition had not been filed. This bankruptcy case no longer prevents collection efforts or lawsuits. Creditor collection remedies are reinstated pursuant to 11 U.S.C. Section 349, and creditors are directed to 11 U.S.C. Section 108(c) for time limits on filing a lawsuit to collect. Generally, a creditor's lawsuit must be filed by the later of:

- (1) the time deadline provided by state law; or
- (2) 30 days after the date of this notice.

- ☐ The case is not dismissed. The plan term is extended to a total of _____ months; the monthly plan payment amount is changed to \$_____ effective _____.
- ☐ This is not dismissed at this time. However, in the event of any future plan default by the Debtor(s), then on the Trustee's certificate of default, this case shall be dismissed _____ WITH / _____ WITHOUT prejudice, without further notice or hearing.

☒ Continued, generally to Jan 4, 2019 @ 10 AM (date)

_____ Conciliation in the Office of the Ch. 13 Trustee, Ste. 3251 U.S. Steel Tower,
600 Grant Street, Pittsburgh, PA 15219

_____ Courtroom C, 54th Floor, U.S. Steel Tower, 600 Grant Street, Pittsburgh,
PA 15219

☒ Erie Bankruptcy Courtroom, U.S. Courthouse, 17 South Park Row, Erie,
PA 16501

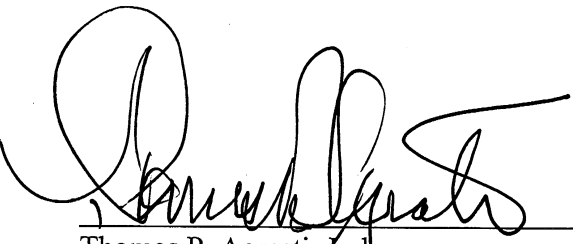
☒ The Debtor(s) is to take over long term continuing debt payments beginning with the payment. November 2018

☒ The total due by the Debtor to complete the Plan is \$ 1355.00

☐ The case is dismissed without further notice or order unless the remaining \$_____ due on the Plan base is paid on or before _____.

☐ The Oral Motion by the Trustee to withdraw the *Motion to Dismiss* is GRANTED.

☐ Other:



Thomas P. Agresti, Judge
United States Bankruptcy Court

Certificate of Notice Page 3 of 3
United States Bankruptcy Court
Western District of Pennsylvania

In re:
Alex Fink
Diane Fink
Debtors

Case No. 13-11106-TPA
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-1

User: dkam
Form ID: pdf900

Page 1 of 1
Total Noticed: 1

Date Rcvd: Nov 15, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 17, 2018.

db/jdb +Alex Fink, Diane Fink, 211 Frozen Toe Lane, Polk, PA 16342-4427

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 17, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 15, 2018 at the address(es) listed below:

Andrew F Gornall on behalf of Creditor Real Estate Mortgage Network, Inc.
andygornall@latouflawfirm.com
James Warmbrodt on behalf of Creditor Real Estate Mortgage Network, Inc.
bkgroup@kmlawgroup.com
Matthew John McClelland on behalf of Creditor Real Estate Mortgage Network, Inc.
bkgroup@kmlawgroup.com
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov
Paul W. McElrath, Jr. on behalf of Debtor Alex Fink ecf@mcelrathlaw.com,
donotemail.ecfbackuponly@gmail.com
Paul W. McElrath, Jr. on behalf of Joint Debtor Diane Fink ecf@mcelrathlaw.com,
donotemail.ecfbackuponly@gmail.com
Peter J. Ashcroft on behalf of Creditor Duquesne Light Company pashcroft@bernsteinlaw.com,
ckutch@ecf.courtdrive.com;acarr@bernsteinlaw.com
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 8